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## NOTICE OF ALLOWANCE AND FEE(S) DUE

22801 7590 12/10/2008

LEE & HAYES, PLLC  
601 W. RIVERSIDE AVENUE  
SUITE 1400  
SPOKANE, WA 99201

EXAMINER

NGUYEN, DUSTIN

ART UNIT

PAPER NUMBER

2454

DATE MAILED: 12/10/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/783,554

02/20/2004

Alfred Lee IV

MS1-1855US

7457

TITLE OF INVENTION: POLICY APPLICATION ACROSS MULTIPLE NODES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	03/10/2009

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
Commissioner for Patents  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

22801 7590 12/10/2008

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## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/783,554 02/20/2004 Alfred Lee IV MS1-1855US 7457

TITLE OF INVENTION: POLICY APPLICATION ACROSS MULTIPLE NODES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional NO \$1510 \$300 \$0 \$1810 03/10/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
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NGUYEN, DUSTIN 2454 709-223000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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EXAMINER

NGUYEN, DUSTIN

ART UNIT

PAPER NUMBER

2454

DATE MAILED: 12/10/2008

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1074 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1074 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/783,554	LEE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	DUSTIN NGUYEN	2454	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/29/2008.
2. ☒ The allowed claim(s) is/are 1, 3, 4, 8-13, 15, 16, 20-28, 30-36, now renumbered as 1-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|  | 9. <input type="checkbox"/> Other _____.   |

/Dustin Nguyen/  
Primary Examiner, Art Unit 2454

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Applicant's attorney, Mr. Robert Peck, on 12/02/2008.

I. Please substitute paragraph [0001], "Related Applications", of the specification with the following:

"This patent application is related to co-owned U.S. Patent Application Serial No. 10/783,776, entitled "Invalid Policy Detection", now still pending, and U.S. Patent Application Serial No. 10/783,751, entitled "Dynamic Protocol Construction," now US Patent No. 7,243,157, both of which are hereby incorporated by reference for all that they disclose."

II. Please amend the claims as follows:

1. (Currently Amended) A method comprising:

Art Unit: 2454

retrieving an intermediate node policy having one or more protocol requirements for messages being transmitted to or from the intermediate node, the intermediate node being between a source node and a destination node in a communication path;

forming a first policy-compliant message in accordance with the intermediate node policy, the first policy-compliant message including a request for a destination node policy having one or more protocol requirements for messages being transmitted to or from the destination node;

transmitting the first policy-compliant message to the intermediate node for receipt and validation of the first policy-compliant message by the intermediate node;

receiving the destination node policy;

forming a second policy-compliant message in accordance with both the intermediate node policy and the destination node policy;

transmitting the second policy-compliant message to the destination node;

determining whether the destination node policy specifies an additional intermediate node;

if the destination node policy specifies an additional intermediate node, forming a third policy-compliant message in accordance with the intermediate node policy, the third policy-compliant message including a request for an additional intermediate node policy having one or more protocol requirements for messages being transmitted to or from the additional intermediate node, and if the destination node policy specifies more than one intermediate nodes, the destination node policy also specifies an order of the intermediate nodes in the

Art Unit: 2454

communication path, the order of intermediate nodes being important for the order of retrieving and applying the policies of the intermediate nodes.

2. (Cancelled)

5. (Cancelled)

6. (Cancelled)

7. (Cancelled)

13. (Currently Amended) A computer-readable storage medium having a plurality of executable programming instructions stored thereon which, when operated, perform operations comprising:

retrieving a intermediate node policy and a destination node policy, the intermediate node policy having one or more protocol requirements for messages being transmitted to or from an intermediate node and the destination node policy having one or more protocol requirements for messages being transmitted to or from a destination node, the intermediate node being between a source node and the destination node in a communication path;

applying the intermediate node policy and the destination node policy to an underlying message in order of the destination node policy followed by the intermediate node policy;

creating a first policy-compliant message including the underlying message, the first policy-compliant message being created according to the intermediate node policy;

Art Unit: 2454

transmitting the first policy-compliant message to the intermediate node for receipt and validation of the first policy-compliant message by the intermediate node;

creating a second policy-compliant message including the first policy-compliant message, the second policy-compliant message being created according to the intermediate node policy and the destination node policy;

transmitting the second policy-compliant message to the destination node;

determining whether the destination node policy specifies an additional intermediate node;

if the destination node policy specifies an additional intermediate node, forming a third policy-compliant message in accordance with the intermediate node policy, the third policy-compliant message including a request for an additional intermediate node policy having one or more protocol requirements for messages being transmitted to or from the additional intermediate node, and if the destination node policy specifies more than one intermediate nodes, the destination node policy also specifies an order of the intermediate nodes in the communication path, the order of intermediate nodes being important for the order of retrieving and applying the policies of the intermediate nodes.

14. (Cancelled)

17. (Cancelled)

18. (Cancelled)



19. (Cancelled)

25. (Currently Amended) A system comprising:

a processor;

a policy retriever configured to be operated by the processor to retrieve an intermediate node policy having one or more protocol requirements for messages being transmitted to or from an intermediate node between a source node and a destination in a communication path;

a message generator configured to be operated by the processor to generate a request message in accordance with the intermediate node policy, the request message including a request for a destination node policy having one or more protocol requirements for messages being transmitted to or from the destination node;

transmitting the request message to the intermediate node for receipt and validation of the request message by the intermediate node;

receiving the destination node policy;

forming a second request message in accordance with both the intermediate node policy and the destination node policy;

transmitting the second request message to the destination node;

determining whether the destination node policy specifies an additional intermediate node;

if the destination node policy specifies an additional intermediate node, forming a third request message in accordance with the intermediate node policy, the third request message

Art Unit: 2454

including a request for an additional intermediate node policy having one or more protocol requirements for messages being transmitted to or from the additional intermediate node, and if the destination node policy specifies more than one intermediate nodes, the destination node policy also specifies an order of the intermediate nodes in the communication path, the order of intermediate nodes being important for the order of retrieving and applying the policies of the intermediate nodes.

29. (Cancelled)

35. (Currently Amended) A system comprising:

a processor;

a policy retriever means to be operated by the processor for retrieving a plurality of policies, each policy having one or more protocol requirements for messages being transmitted to or from one of a plurality of nodes, the plurality of nodes including at least one intermediate node and a destination node, wherein the retrieving includes requesting each of the intermediate node policy and the destination node policy in order of the intermediate node followed by the destination node;

means to be operated by the processor for applying each of the plurality of policies to a message transmitted to the destination node, such that the message conforms to each of the plurality of policies, wherein the applying includes:

Art Unit: 2454

determining whether the intermediate node policy is compatible with a source node policy having one or more protocol requirements for messages being transmitted to or from the source node;

in response to the determining, creating a first policy-compliant message including the underlying message, the first policy-compliant message being created according to the destination intermediate node policy, transmitting the first policy-compliant message to the intermediate node for receipt and validation of the first policy-compliant message by the intermediate node, and creating a second policy-compliant message including the first policy-compliant message, the second policy-compliant message being created according to the intermediate node policy and the destination node policy;

transmitting the second policy-compliant message to the destination node;

determining whether the destination node policy specifies an additional intermediate node;

if the destination node policy specifies an additional intermediate node, forming a third policy-compliant message in accordance with the intermediate node policy, the third policy-compliant message including a request for an additional intermediate node policy having one or more protocol requirements for messages being transmitted to or from the additional intermediate node, and if the destination node policy specifies more than one intermediate nodes, the destination node policy also specifies an order of the intermediate nodes in the communication path, the order of intermediate nodes being important for the order of retrieving and applying the policies of the intermediate nodes.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DUSTIN NGUYEN whose telephone number is (571)272-3971. The examiner can normally be reached on flex schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Flynn Nathan can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dustin Nguyen/  
Primary Examiner, Art Unit 2454